

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division

DR. ROBERT W. MALONE,

Plaintiff,

v.

PETER R. BREGGIN, MD,  
GINGER ROSS BREGGIN,  
AMERICA OUT LOUD,  
DR. JANE RUBY

-and-

RED VOICE MEDIA,

Defendants.

Case No. 3:22-cv-63

**DECLARATION OF RONNIE BITMAN IN SUPPORT OF  
DEFENDANT, DR. JANE RUBY'S, MOTION TO DISMISS**

I, Ronnie J. Bitman, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am the managing partner in the law firm of Bitman O'Brien & Morat, PLLC, and an attorney for Defendant Dr. Jane Ruby in the above-captioned action.

2. I submit this declaration to annex documents relevant to Defendant's motion to dismiss Plaintiff, Dr. Robert Malone's, Complaint under rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure.<sup>1</sup>

<sup>1</sup> Dr. Ruby has also sought to recover her attorney's fees pursuant to Virginia's law prohibiting Strategic Lawsuits Against Public Participation (SLAPP), Va. Code § 9.01-223.2 (2020). The annexed Exhibits are relevant in that they are referenced in the Complaint and integral to the claims, they are generally known or are capable of accurate and ready determination by resort to sources whose accuracy cannot be reasonably questioned and include plaintiff's admissions. Moreover, the exhibits can be gleaned for purposes of the *motive* determination in line with Dr. Ruby's anti-SLAPP arguments.

3. Annexed hereto as **COMPOSITE EXHIBIT 1** is a true and correct copy of a Tweet from Dr. Malone that was published to Twitter on March 27, 2023, available at <https://twitter.com/RWMaloneMD/status/1640487295122907136>. Dr. Malone's Twitter account boasts over 1 million followers. <https://twitter.com/RWMaloneMD>.

4. Annexed hereto as **EXHIBIT 2** is a true and correct copy of a written transcript from the Dr. Jane Ruby Show wherein she interviewed Brother Alexis Bugnolo. Dr. Malone bases his defamation claim in part on this show. (See Am. Compl. ¶ 5, referencing <https://rumble.com/v1miuec-live-7pm-overcoming-psychopaths-andglobal-tyranny.html>).

5. Annexed hereto as **EXHIBIT 3** is a true and correct copy of a written transcript from the Dr. Jane Ruby Show titled "Mass Formation 'Psychosis' is a Psyop Against the People." Dr. Malone bases his defamation claim in part on this show. (See Am. Compl. ¶ 10, asserting, "Dr. Malone is orchestrating a 'psyop against the people'. <https://rumble.com/v1j48gd-dr.-jane-ruby-show-mass-formationpsychosis-is-a-psyop-against-the-people.html>.").

6. Annexed hereto as **EXHIBIT 4A** is a true and correct copy of a blog post from Breggin.com available at [https://breggin.com/article-detail/post\\_detail/Robert-Malone-Health-Freedom-Movement-or-Deep-State-Denizen-America-Out-Loud-PULSE](https://breggin.com/article-detail/post_detail/Robert-Malone-Health-Freedom-Movement-or-Deep-State-Denizen-America-Out-Loud-PULSE).<sup>2</sup> Dr. Malone bases his defamation claim in part on statements made in the blog. (See Am. Compl. ¶ 10, bullet three).

7. Annexed hereto as **EXHIBIT 5** is a true and correct copy of the written transcript of Joe Rogan's interview of Dr. Malone, which was filed of public record by a government official and is available at: <https://nehls.house.gov/media/press-releases/joe-rogan-experience-1757-dr->

---

<sup>2</sup> Breggin has removed this blog post since Dr. Ruby's initial Motion to Dismiss and Memorandum were filed. [DE 32, 33]. The same article/podcast that was removed from the breggin.com site remains available at <https://americaoutloud.news/Robert-malone-health-freedom-movement-or-deep-state-denizen/>. See **EXHIBIT 4B**.

robert-malone-md-full-transcript. Dr. Malone's statements on mass formation psychosis are relevant to the allegations in this lawsuit.

8. Annexed hereto as **EXHIBIT 6 and 7**, respectively, are true and correct copies of written transcripts from Dr. Jane Ruby's posts referenced in Paragraph 5 of the Amended Complaint and cited as <https://rumble.com/v24npyc-live-7pm-the-malone-doctrine.html>; and <https://rumble.com/v2486yu-live-7pm-dead-bodies-are-everywhere.html>. Dr. Malone bases his defamation claim in part on statements made in these videos. (*See* Am. Compl. ¶ 5).

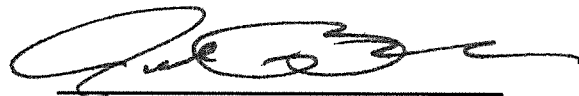
9. Annexed hereto as **EXHIBIT 8** is a true and correct copy of written transcript from Dr. Jane Ruby's posts referenced in Paragraph 6 of the Amended Complaint and cited as <https://twitter.com/RealDrJaneRuby/status/1643820068273283073>. The audio/video of the transcript is available at <https://rumble.com/v2g7des-coffee-chat-dr.-alexander-calls-out-malone-on-lawsuits-04-04-23.html>. Dr. Malone bases his defamation claim in part on statements made in this post. (*See* Am. Compl. ¶ 6; third to last link cited).

10. Annexed hereto as **EXHIBIT 9** is a true and correct copy of written transcript from an article by Diana West as tweeted via hyperlink by Dr. Ruby on June 04, 2023, and cited in Paragraph 6 of the Amended Complaint as <https://twitter.com/RealDrJaneRuby/status/1665452458720604163>. The direct link to Ms. West's article is <https://dianawest.net/Home/tabid/36/EntryId/4547/Dr-Robert-Malone-Sues-the-Breggins-Jane-Ruby-Platforms-for-25-Million.aspx>. Dr. Malone bases his defamation claim in part on Dr. Ruby's third-party link in this post. (*See* Am. Compl. ¶ 6; second to last link cited).

11. Annexed hereto as **EXHIBIT 10** is a true and correct copy of written transcript from Dr. Jane Ruby's posts referenced in Paragraph 6 of the Amended Complaint and cited as <https://twitter.com/RealDrJaneRuby/status/1667278320520626177>. The audio/video of the transcript is available at <https://rumble.com/v2sth4k-paul-alexander-on-robert-malone-mrna-technology-and-medical-censorship.html>. Dr. Malone bases his defamation claim in part on statements made in this post. (*See* Am. Compl. ¶ 6; last link cited).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 20, 2023

A handwritten signature in black ink, appearing to read 'Ronnie Bitman', written over a horizontal line.

Ronnie Bitman, Managing Partner  
Bitman O'Brien & Morat, PLLC  
Florida Bar No.: 0744891 (admitted pro hac)